

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF KERSHAW )  
 )

IN THE COURT OF COMMON PLEAS  
FIFTH JUDICIAL CIRCUIT

Mary Dow Jackson, Individually and as )  
Personal Representative of the Estate of )  
Gordon Louis Jackson, Melissa Jackson, )  
Tyre Jackson, Reginald Allen, Bryant )  
Allen, Andre Allen, And Timothy )  
Johnson, )

CASE NO.: 2024-CP-28-00123

**ORDER**

Plaintiffs, )

vs. )

The Estate of Claude E. Campbell, by )  
and through Sonja Campbell Parker and )  
Barry Campbell, Thomas Clayter )  
Campbell, Jr. as Personal Representative )  
and Trustee for the Estate and )  
Testamentary Trust of Thomas Clayter )  
Campbell, Sr, the Estate of Colbert )  
Harold Campbell, by and through )  
Frances C. Campbell, Vivian C. Gardner, )  
and the Estate of Charles E. Campbell, )  
by and through Maxine Watts Campbell, )

Defendants. )

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SC Court of Appeals

This matter came before Judge Coble at an in-person hearing on Defendants' Motion for Summary Judgment. Present at the July 17, 2025 hearing was counsel for the Plaintiff, William Harling and Richard Gleissner, and counsel for the Defendants, Paul Porter. At the conclusion of both parties' arguments, Judge Coble took the matter under advisement. After carefully considering arguments of counsel, applicable law, and filings of the parties, the court rules as follows: The Motion for Summary Judgment is GRANTED.

I. Plaintiffs' three claims fail on their elements.

a. Unjust Enrichment

To prevail on a claim for unjust enrichment under South Carolina law, a plaintiff must show: “(1) a benefit conferred by the plaintiff upon the defendant; (2) realization of that benefit by the defendant; and (3) retention of the benefit by the defendant under circumstances that make it inequitable for him to retain it without paying its value.” *Chase Home Fin., LLC v. Risher*, 405 S.C. 202, 212, 746 S.E.2d 471, 476 (Ct. App. 2013). There is no evidence in this case of any benefit conferred by the Plaintiffs on the Defendants whatsoever.

b. Constructive Trust

Plaintiffs’ constructive trust claim fails because there is no evidence of fraud, bad faith, abuse of confidence, or violation of a fiduciary duty.

c. Declaratory Judgment

Plaintiffs’ claim for a declaration that Gordon Louis Jackson was a rightful heir of Thomas Edward Campbell is moot because TE Campbell’s estate has long been closed.

II. This Action is Untimely based on the Doctrine of Laches.

Laches is defined as “neglect for an unreasonable and unexplained length of time, under circumstances affording opportunity for diligence, to do what in law should have been done.” *Hallums v. Hallums*, 296 S.C. 195, 198, 371 S.E.2d 525, 527 (1988). “Under the doctrine of laches, if a party, knowing his rights, does not seasonably assert them, but by unreasonable delay causes his adversary to incur expenses or enter into obligations or otherwise detrimentally change his position, then equity will ordinarily refuse to enforce those rights.” *Chambers of S.C., Inc. v. County Council for Lee Cty.*, 315 S.C. 418, 421, 434 S.E.2d 279, 280

(1993). Thus, the predicate for laches is an unreasonable and unexplained delay. *Eldridge v. Eldridge*, 398 S.C. 113, 121–22, 728 S.E.2d 24, 28 (2012).

All rulings are based on the oral arguments and written memoranda presented in support of the motions. The prevailing party shall provide a more formal order within ten (10) days.

**AND IT IS SO ORDERED.**

[JUDICIAL E-SIGNATURE PAGE TO FOLLOW]



Kershaw Common Pleas

**Case Caption:** Mary Dow Jackson , plaintiff, et al VS Claude E Campbell Estate ,  
defendant, et al  
**Case Number:** 2024CP2800123  
**Type:** Order/Other

So Ordered

s/ Daniel Coble, 2774

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